



Town of Merrimack, New Hampshire

Community Development Department
6 Baboosic Lake Road
Town Hall - Lower level - East Wing

603 424-3531
Fax 603 424-1408
www.merrimacknh.gov

Planning - Zoning - Economic Development - Conservation

MERRIMACK ZONING BOARD OF ADJUSTMENT AGENDA FOR WEDNESDAY, FEBRUARY 22, 2023 MATTHEW THORNTON ROOM 6:30 P.M.

PLEASE TAKE NOTICE THAT, in accordance with the provisions of NH RSA 676:7, a Public Hearing will be held by the Zoning Board of Adjustment of the Town of Merrimack, in the Matthew Thornton Room on the second floor of the West Wing of Town Hall, at 8 Baboosic Lake Road, on Wednesday, February 22, 2023 at 6:30 P.M. to consider the petitions described in the agenda below. .

*(clicking on a link in **blue text** will display the staff report for the selected application, clicking a link in **green text** will display a Google Map photo of the site location)*

1. Call to Order
2. Roll Call
3. **Governor's Hill Corp (petitioner/owner) – [Equitable Waiver of Dimensional Requirements under Section 3.05 of the Zoning Ordinance to permit an existing leach field to remain 13 feet from the side property line whereas 20 feet is required.](#)** The parcel is located at 22 Constance Street in the R-1 (Residential, by soils) and Aquifer Conservation Districts. [Tax Map 6D, Lot 104](#). Case # ZBA 2023-06. **This item is continued from the January 25, 2023 Zoning Board of Adjustment Meeting.**
4. **Governor's Hill Corp (petitioner/owner) – [Equitable Waiver of Dimensional Requirements under Section 3.02.4 of the Zoning Ordinance to permit an existing rock retaining wall to remain 1.6 feet, at its closest point, from the side property line whereas 15 feet is required.](#)** The parcel is located at 22 Constance Street in the R-1 (Residential, by soils) and Aquifer Conservation Districts. [Tax Map 6D, Lot 104](#). Case # ZBA 2023-05. **This item is continued from the January 25, 2023 Zoning Board of Adjustment Meeting.**
5. **Governor's Hill Corp (petitioner/owner) – [Appeal from an Administrative Decision issued on December 13, 2022 that determined a newly installed \(2022\) leach field shall adhere to the Town's 20' property line setback despite being installed on a legal nonconforming lot of record.](#)** The parcel is located at 22 Constance Street in the R-1 (Residential, by soils) and Aquifer Conservation Districts. [Tax Map 6D, Lot 104](#). Case # ZBA 2023-03. **This item is continued from the January 25, 2023 Zoning Board of Adjustment Meeting.**
6. **Governor's Hill Corp (petitioner/owner) – [Appeal from an Administrative Decision issued on December 13, 2022 that determined a rock retaining wall that is over 4' in height is considered a structure and is subject to setback requirements.](#)** The parcel is located at 22 Constance Street in the R-1 (Residential, by soils) and Aquifer Conservation Districts. [Tax Map 6D, Lot 104](#). Case # ZBA 2023-04. **This item is continued from the January 25, 2023 Zoning Board of Adjustment Meeting.**
7. **Brianna Pelletier (petitioner) and Pennichuck Square, LLC (owner) – [Special Exception under Section 2.02.3 \(C\) 1 of the Zoning Ordinance to permit a dog grooming salon use in the C-2 \(General Commercial\) District.](#)** The parcel is located at 709 Milford Road, Suite 6A in the C-2 (General Commercial) and Aquifer Conservation Districts. [Tax Map 2B, Lot 360](#). Case # ZBA 2023-09.

8. Merrimack Parcel A, LLC (petitioner) and Merrimack Park Place Condominium (owner) – [Extension request for a Variance under Section 2.02.4 \(D\) of the Zoning Ordinance for a mixed use development Conditional Use Permit \(CUP\) to be sought from the Planning Board at a higher residential density than was originally approved by Variance \(in 2015\) on a lot in the industrial district.](#) This extension request relates to the variance granted on 3/31/21. The parcel is located at 10 Premium Outlets Blvd in the I-2 (Industrial) and Aquifer Conservation Districts and the Wellhead Protection Area. [Tax Map 3C Lot 191-02](#). Case # ZBA 2021-05.

9. Discussion/possible action regarding other items of concern

10. Approval of Minutes – January 25, 2022

11. Adjourn

Copies of application materials are available at the Merrimack Community Development Department Office in Merrimack Town Hall for review by the general public between the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday. It is the policy of the Board not to take up any new business after 10:00 P.M. and to adjourn by 10:30 P.M.

Posted to website: 2/17/2023